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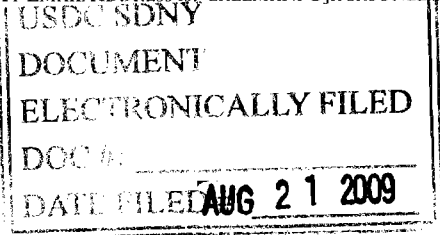
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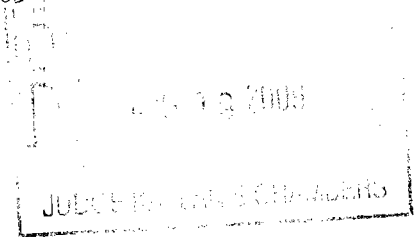
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MEMO ENDORSED

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August 19, 2009



VIA HAND DELIVERY

Honorable Hon. Lewis A. Kaplan, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Walter W. Garcia-Serrano, Anna M. Stesik-Garcia, and Ciprian Veres-Pop v. 33 West 54th Street LLC, et al.

Dear Judge Kaplan:

We are counsel representing 33 West 54th Street LLC, Francisco Sorrentino a/k/a Gianfranco Sorrentino, and Paula Bolla Sorrentino ("Defendants") in connection with the above-referenced matter. Counsel for Plaintiffs has reviewed and approved this letter.

This case concerns alleged violations of federal and state wage-and-hour laws at Il Gattopardo Ristorante, the restaurant operated by Defendant 33 West 54th Street LLC. The First Amended Complaint was filed on July 7, 2009, and brings individual claims in behalf of four Plaintiffs. See Docket Entry 7. On August 17, 2009, the four Plaintiffs filed an opposition to Defendants' pending motion for partial dismissal of certain claims contained in the First Amended Complaint. See Docket Entry 18. Contemporaneously with that opposition, Plaintiffs filed a new, Second Amended Complaint. See Docket Entry 19. In addition to new substantive claims relating to the four Plaintiffs, the Second Amended Complaint includes previously-unasserted class and collective allegations. Id. Finally, based on the newly-filed Second Amended Complaint, Plaintiffs filed a motion for class and collective action certification (the "Cross-Motion"). See Docket Entries 15-19.

While the parties disagree regarding the appropriateness of Plaintiffs' new amendments to the Complaint and corresponding Cross-Motion, we have reached agreement regarding a timetable for further briefing as follows:

- Defendant's reply in support of its motion for partial dismissal and any motion to strike or dismiss new allegations in the Second Amended Complaint to be filed on or before September 8, 2009;
- Defendant's opposition to Plaintiffs' Cross-Motion to be filed on or before September 29, 2009; and
- Plaintiffs' reply in support of their Cross-Motion and opposition to Defendant's motion to strike or dismiss new allegations in the Second Amended Complaint (if any) to be filed on or before October 13, 2009.

In addition, we wish to advise the Court that the parties are engaged in meaningful settlement discussions and are scheduled to meet next week in pursuit of resolution. The extensions requested herein will provide the parties an opportunity to devote their attention to those efforts and also accommodates Plaintiffs' Counsel's previously scheduled vacation schedule.

Thank you for your consideration in this regard.

MEMO ENDORSED

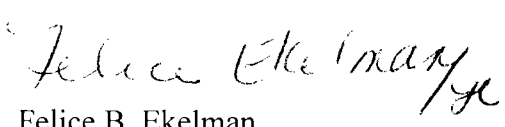
Application GRANTED
So Ordered


Hon. Richard J. Sullivan, USDJ Part I
Dated: New York, NY 8/ 20/2009

cc: Linda R. Carlozzi, Esq.
Robert Wisniewski, Esq.

Respectfully submitted,

JACKSON LEWIS LLP


Felice B. Ekelman